

Substitute for FORM PTO-1449			Attorney Docket Number 101.0112-01000		Customer No. 22882	
INFORMATION DISCLOSURE CITATION IN AN APPLICATION			Applicant Gary K. Michelson		Application Number (Div. of 10/160,086)	
(Use several sheets if necessary) Sheet <u>1</u> of <u>3</u>			Filing Date March 24, 2004		Group Art Unit 3732	Examiner P. Philogene
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
PP	Des. 402,032	12/1998	Stone			
	Des. 406,646	3/1999	Stone			
	Des. 440,311	4/2001	Michelson			
	Des. 449,692	10/2001	Michelson			
	Re. 31,628	7/1984	Allgower et al.			
	1,105,105	7/1914	Sherman			
	3,604,414	9/1971	Borges			
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	4,493,317	1/1985	Klaue			
	4,503,848	3/1985	Caspar et al.			
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	4,794,918	1/1989	Wolter			
	4,936,848	6/1990	Bagby			
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	5,053,036	10/1991	Perren et al.			
	5,127,912	7/1992	Ray et al.			
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	5,180,381	1/1993	Aust et al.			
	5,190,544	3/1993	Chapman et al.			
	5,209,751	5/1993	Farris et al.			
	5,300,073	4/1994	Ray et al.			
	5,364,399	11/1994	Lowery et al.			
	5,397,363	3/1995	Gelbard			
	5,423,826	6/1995	Coates et al.			
	5,520,690	May-96	Errico et al.			
	5,531,746	7/1996	Errico et al.			
	5,531,747	7/1996	Ray			
	5,549,612	8/1996	Yapp et al.			
↓	5,558,674	9/1996	Heggeness et al.	↓	↓	

PP	5,578,034	11/1996	Estes				
	5,601,553	2/1997	Trebing et al.				
	5,607,426	3/1997	Ralph et al.				
	5,616,142	4/1997	Yuan et al.				
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	5,676,703	10/1997	Gelbard				
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	5,964,763	10/1999	Incavo et al.				
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	6,402,756	6/2002	Ralph et al.				
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↓	2002/0111630	8/2002	Ralph et al.	↓	↓		
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PP	DE 4409833	10/1995	Germany	↓	↓	Abstract Only	
PP	DE 4414781	11/1995	Germany	↓	↓	U.S. Equivalent USP 5,662,652	
PP	WO 94/026193	11/1994	WIPO	↓	↓	N/A	

PP	WO 95/035067	12/1995	WIPO			N/A
PP	WO 96/008206	3/1996	WIPO			N/A
PP	WO 96/039975	12/1996	WIPO			N/A
PP	WO 99/056653	11/1999	WIPO			N/A
PP	WO 01/026566	4/2001	WIPO			N/A
PP	WO 01/089428	11/2001	WIPO			N/A
PP	WO 02/085226	10/2002	WIPO	↓	↓	N/A

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

PP	Advertisement for Codman Anterior Cervical Plate System by Codman, Johnson & Johnson, Professional, Inc.; undated.
PP	AESCULAP Scientific Information Booklet; <u>Anterior Cervical Fusion and Interbody Stabilization with the Trapezial Osteosynthetic Plate Technique</u> by Wolfhard Casper; 2/86.
PP	Brochure by SYNTHES Spine for <u>Cervical Spine Locking Plate</u> ; 1991.
PP	ORION Brochure; <u>Anterior Cervical Plate System, Surgical Technique</u> , as described by Gary L. Lowery, M.D., Ph.D.; 1996.
PP	CODMAN Brochure; <u>Anterior Cervical Plate System</u> ; 9/1995.
PP	SPINAL CONCEPTS Brochure: The AcuFix, Anterior Cervical Plate System; undated.
PP	EBI Brochure: <u>Introducing EBI VueLock, Anterior Cervical Plate System</u> ; 2001.
PP	BLACKSTONE Brochure: Blackstone Anterior Cervical Plate; undated.
PP	ALPHATEC MANUFACTURING Brochure: DeltaLoc, Anterior Cervical Plate System; undated.
PP	SOEAMOR DANEK Brochure: Atlantic, Anterior Cervical Plate System; undated.
PP	ORTHO DEVELOPMENT Brochure: Ortho Development Cervical Plate; undated.
PP	OCTEOTECH Brochure: Affirm, Anterior Cervical Plate System; undated.

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INFORMATION DISCLOSURE CITATION IN AN APPLICATION		Applicant Gary K. Michelson, M.D.		Application Number 10/809,242	
(Use several sheets if necessary) Sheet <u>1</u> of <u>1</u>		Filing Date March 25, 2004		Group Art Unit 3732	Examiner (P. Philogene)

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U.S. PATENT DOCUMENTS							
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PP	4,034,418	7/1977	Jackson et al.				
PP	4,743,256	5/1988	Brantigan				
PP	5,167,665	12/1992	McKinney				
PP	5,672,177	9/1997	Seldin				
PP	6,045,554	4/2000	Grooms et al.				
PP	6,217,580	4/2001	Levin				
PP	6,224,607	5/2001	Michelson				
PP	6,395,030	5/2002	Songer et al.				
PP	6,558,686	5/2003	Darouiche				

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	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION (YES/NO)

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PP	3,658,585	5/1972	Haboush			
	5,129,903	7/1992	Luhr et al.			
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	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION (YES/NO)
PP	DE4007306	5/1991	Germany			English Abstract
PP	DE19542084	6/1997	Germany			English Abstract
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
EXAMINER /Pedro Philogene/			DATE CONSIDERED 11/17/2006			
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EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
PP	5,646,142	7/1997	Dantanarayana et al.			
PP	5,865,848	02/1999	Baker			
PP	5,964,762	10/1999	Biedermann et al.			
PP	6,585,738	7/2003	Mangione et al.			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION (YES/NO)
PP	WO 00/01314	1/20000	WIPO			Abstract Only
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
PP	Bone Growth Stimulation, http://www.healthtoz.com/healthtoz/Atoz/ency/bone_growth_stimulation.jsp					
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U.S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

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PP	4,795,804	1/1989	Urist			
PP	6,087,555	7/2000	Duntan et al.			
PP	6,106,557	8/2000	Robloneck et al.			
FOREIGN PATENT DOCUMENTS						
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NOT FOR PUBLICATION			
Examiner Initial	Application Number	Filing/Issue Date	Publication/ Patent No.
PP / Pedro Philogene	10/160,062	04JUN2002	2002/0183756
pp	10/160,247	04JUN2002	2002/0188296
pp	10/160,407	04JUN2002	2003/0060828
pp	10/160,408	04JUN2002	2002/0183754
pp	10/160,059	04JUN2002	2002/0183755

Applicant respectfully requests that the Examiner consider the documents listed above, indicate that they were considered by making appropriate notations in the appropriate column, and return a copy of this sheet to the Applicant.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.


Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-1066.

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: March 24, 2004

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